

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

## **Decision by Court.**

This action came before this Court for ruling as follows.

**IT IS ORDERED, ADJUDGED, AND DECREED** that plaintiff's objections to the M&R are OVERRULED, plaintiff's motion for judgment on the pleadings is DENIED, defendant's motion for judgment on the pleadings is GRANTED, defendant's final decision is AFFIRMED, and this action is DISMISSED. The clerk shall close the case.

**This Judgment Filed and Entered on January 14, 2016, and Copies To:**

Brian M. Ricci (via CM/ECF Notice of Electronic Filing)  
Cassia W. Parson (via CM/ECF Notice of Electronic Filing)

DATE: JULIE RICHARDS JOHNSTON, CLERK  
January 14, 2016 (By) /s/ Crystal Jenkins  
Deputy Clerk